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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/002,623	11/01/2001	Peter J. Ocfner	STAN-212	1933

24353 7590 01/02/2004

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EXAMINER

SAKELARIS, SALLY A

ART UNIT	PAPER NUMBER
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1634

DATE MAILED: 01/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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10/002,623

EXAMINER

SALLY SAKELARIS

ART UNIT

PAPER

1634

122003

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Commissioner for Patents

Response to Amendment

The reply filed on 9/29/2003 is not fully responsive to the prior Office Action because of the following omission: Applicant responded: "in order to be responsive to the restriction requirement, applicants elect the following markers for prosecution in the present application. The table below identifies the marker, its SEQ ID NO, the haplogroup with which the marker is associated, and the exemplary primer pair noted in the specification useful in detecting the marker"(Response Pgs. 8-9). However this election is not responsive to the restriction for requirement prepared by the examiner on 8/27/2003. The present election is drawn to 10 different markers from 10 different haplogroups, each having different SEQ ID NOS: and 20 different SEQ ID NOS: that are used as primers to amplify each of the 10 different elected markers belonging to each a different haplogroup. Although the examination of one combination is provided for by the MPEP as cited previously, the examiner intended to require in her previous restriction requirement, that the one combination be a single haplogroup, (ie one of groups I-X), consisting of at most 10 sequences(Markers and primer pairs that all correspond to the elected Haplogroup). For example, applicant should elect one of Haplogroups I-X, and a combination of markers and primer pairs(together not more than ten) all corresponding to the single elected haplogroup, either as markers or as primers that amplify the elected markers within that elected haplogroup. ie, an election of Haplogroup VIII containing Markers M9, M175, and M45(SEQ ID NOS:25, and the two other SEQ ID NOS that correspond to M175 and M45 respectively) and the primer pairs that amplify each of these markers, totaling 9 sequences would be viewed as responsive if the proper SEQ ID NOS have been identified in the specification and sequence compliance is also achieved. Applicant is reminded that upon the determination of allowable subject matter of their preliminary election, given the Markush format of claim 1, additional groups/sequences will be rejoined to the originally elected subject matter at allowance.

See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).


Applicant should note that arguments in response to examiner's restriction requirement will be provided when the Applicant's reply is made fully responsive.


Any inquiry concerning this communication or earlier communication from the examiner should be directed to Sally Sakelaris whose telephone number is (703) 306-0284. The examiner can normally be reached on Monday-Thursday from 7:30AM-5:00PM and Friday from 1:00PM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Benzion, can be reached on (703)308-1119. The fax number for the Technology Center is (703)305-3014 or (703)305-4242.

Any inquiry of a general nature or relating to the status of this application should be directed to Chantae Dessau whose telephone number is (703)605-1237.

Sally Sakelaris


12/22/2003


JEFFREY FREDMAN
PRIMARY EXAMINER